

are reacted. The WO '653 patent allegedly teaches the separate elements in the Abstract of the U.S. patent.

Applicants respectfully traverse these grounds of rejection since the prior art cited by the Examiner does not anticipate or render obvious Applicants' invention. As pointed out to the Examiner at the interview, the two Naftchi et al patents are clearly related to a reaction product of two compounds and it should be noted that the two active ingredients as alleged by the Examiner are not present together at the beginning of the reaction. As can be seen from Example 1, the acid is reacted with thionyl chloride to form the acid chloride and the acid chloride is then reacted with the amino compound. There is no admixture whatsoever of the acid and the amino compound and therefore, there is only a reaction product eventually formed from the two ingredients but the two ingredients are never in contact with each other per se. It is only the acid chloride that is reacted with the amino compound. Therefore, the aminoguanidine and the lipoic acid are never together as a mixture as alleged by the Examiner. The Naftchi et al patents are directed to a reaction product whereas in Applicants' claims, the two components are separate and distinct components and not a reaction product. Therefore, the Naftchi et al patents never anticipate or render obvious Applicants' invention which is directed to a mixture of two separate compounds and not of an amide product. Therefore, withdrawal of these grounds of rejection is requested.

With respect to the rejection based upon the WO '653 patent, it is deemed that the patent does not teach an antioxidant substance possessing at least two thiol groups and which intervene in the redox status of the thiol groups. The Examiner refers to the patent as teaching N-acetylcysteine and aminoguanidine as meeting the claims. It should be noted that Applicants' component b is a metabolic antioxidant substance possessing at least two thiol groups and the WO '653 patent does not teach that. In the reference portion of the U.S. counterpart, the Examiner refers to lines 39 to 50 as teaching a reactive form of oxygen and does recite N-acetylcysteine. However, this is not a compound possessing at least two thiol groups. When Applicants' claims recite the N-acetylcysteine, it is a dimeric disulfide derivative thereof which is a completely different compound. Therefore, the reference neither anticipates nor renders obvious Applicants' invention and withdrawal of this ground of rejection is requested.

All of the claims were further rejected under 35 USC 103 as being obvious over the two Naftchi et al patents, the Petrus, Lai and the WO '653 patent. The Examiner relies upon the Naftchi et al patents for the above reasons.

Applicants respectfully traverse this ground of rejection since the combination of the prior art would in no way teach Applicants' invention or the advantages thereof. the Naftchi et al patents and their deficiencies and the WO '653 patent and the shortcomings thereof are discussed above. With respect to the Lai patent, this relates to a conjugate of

nitrogen oxide scavengers and dithiol carbamates and conjugates thereof which means that the reaction is derived from the combination of the two and has the same deficiency as the Natfchi et al patent. The Petrus patent is directed to a method of treating arthritis by administering a composition comprising an inhibitor of nitric oxide synthase and an amino sugar which is not an antioxidant. This has nothing to do with Applicants' invention since the amino sugars are "the building blocks of our articular cartilage and have anti-inflammatory actions" as indicated in lines 48 and 49 of column 2 which is a completely different activity. Moreover, amino sugars are excluded by "consisting essentially of" since the amino sugars will give a completely different activity to the composition and are therefore excluded thereby. Therefore, the combination of the prior art cited by the Examiner does not anticipate or render obvious Applicants' invention and withdrawal of this ground of rejection is requested.

In view of the above remarks, it is believed that the claims clearly point out Applicants' patentable contribution and favorable reconsideration of the application is requested.

Respectfully submitted,  
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Enclosure